

CHAMBER'S  
COPY

FILED

DEC 24 2009

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

E-FILED

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

DEBORAH R. DOUGLAS (NYBN 2099372)  
Assistant United States Attorney

1301 Clay Street, Suite 340S  
Oakland, California 94612  
Telephone: (510) 637-3680  
Facsimile: (510) 637-3724  
E-Mail: deborah.r.douglas@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELIPE AGUILERA and  
JOSE LUIS PEREZ,

Defendants.

No. 09-71045 MAG; 09-71044 MAG

STIPULATION AND [PROPOSED]  
ORDER TO ADVANCE DATE FOR  
ARRAIGNMENT ON INDICTMENT  
FROM DECEMBER 30, 2009 to  
DECEMBER 29, 2009

IT IS HEREBY STIPULATED AND REQUESTED, by and between plaintiff United States of America, and defendants FELIPE AGUILERA and JOSE LUIS PEREZ, by and through their respective attorneys, that the date currently scheduled for a preliminary hearing/arraignment on Wednesday, December 30, 2009, be advanced to Tuesday, December 29, 2009, for arraignment on the indictment under CR 09-1207 SBA.<sup>1</sup>

1. On December 16, 2009, defendants Felipe Aguilera, Jose Luis Perez, Francisco Vargas, and Emilio Lopez Garcia were initially presented on criminal complaints based upon the same alleged narcotics conspiracy. A preliminary hearing/arraignment is currently scheduled on Wednesday, December 30, 2009, for defendants Aguilera and Perez and on Tuesday, December 29,

<sup>1</sup> Because the Clerk's Office has not yet inputted the indictment no. into the ECF System, this stipulation is being filed based upon the criminal complaint nos. for defendants Felipe Aguilera and Jose Luis Perez in this case.

2009, for defendants Vargas and Garcia in magistrate court in San Francisco. On December 22, 2009, a grand jury returned an indictment against the four defendants. All four defendants are illegal aliens who have waived a detention hearing. The only remaining matter before the magistrate court is arraignment of the four defendants on the indictment and setting a date before the assigned district court judge. Advancing the date of the arraignment for defendants Aguilera and Perez from December 30, 2009 to December 29, 2009 will permit all four defendants to be arraigned together on the single indictment and will promote economy and efficiency.

Dated: 12/23/09

/s/  
DEBORAH R. DOUGLAS  
Assistant United States Attorney

Dated: 12/23/09

/s/  
ANGELA HANSEN for COLLEEN MARTIN  
Assistant Federal Public Defenders  
Attorney for Defendant Felipe Aguilera

Dated: 12/23/09

/s/  
GARRICK S. LEW, Esq.  
Attorney for Defendant Jose Luis Perez

ORDER

Based on the reasons provided in the stipulation of the parties above, IT IS HEREBY ORDERED THAT the date of the preliminary hearing/arraignment, currently scheduled for December 30, 2009 at 10 a.m., shall be advanced to December 29, 2009 at 10 a.m. for arraignment on the indictment before the Honorable Timothy J. Bommer, United States District Judge, in the federal building in San Francisco, California.

IT IS SO ORDERED.

Dated: 12/24/09

  
HONORABLE TIMOTHY J. BOMMER  
United States Magistrate Judge